

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHELLA C. ALFARO BRITTANY,
Plaintiff,
v.
THE STUDIO @ HOTEL BERRY, *et*
al.,
Defendants.

Case No. 2:24-cv-3395-DJC-JDP (PS)

FINDINGS AND RECOMMENDATIONS

On January 28, 2025, I recommended that plaintiff's application to proceed *in forma pauperis* be denied since the petition failed to demonstrate that she had insufficient assets to pay the filing fee and provide the necessities of life to herself and her dependents. ECF No. 3. Plaintiff was allowed fourteen days to file objections. *Id.* at 2. I also recommended that plaintiff be directed to tender the filing fee within twenty-one days of any order adopting these recommendations. *Id.*

Plaintiff neither filed objections nor tendered the filing fee. On March 31, 2025, the district judge adopted the findings and recommendations and ordered plaintiff to tender the filing fee within twenty-one days.¹ ECF No. 4. The deadline to tender the filing fee has expired, and plaintiff has failed to comply.

¹ The district judge referred the matter back to me for all further pre-trial proceedings.

1 Accordingly, it is RECOMMENDED that the Clerk of Court be directed to close this case
2 for plaintiff's failure to pay the filing fee.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of
5 service of these findings and recommendations, any party may file written objections with the
6 court and serve a copy on all parties. Any such document should be captioned "Objections to
7 Magistrate Judge's Findings and Recommendations," and any response shall be served and filed
8 within fourteen days of service of the objections. The parties are advised that failure to file
9 objections within the specified time may waive the right to appeal the District Court's order. *See*
10 *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir.
11 1991).

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13 IT IS SO ORDERED.

14 Dated: April 28, 2025

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16 JEREMY D. PETERSON
17 UNITED STATES MAGISTRATE JUDGE
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